

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE - S/S of Meadow
Road, W of Painters Mill Road * ZONING COMMISSIONER
(Atrium Village)
2nd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
* Case Nos. II-561 and 97-462-A
The Painters Mill Venture, LLP, Owner;
Atrium Village Corporation, Developer

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Zoning Commissioner/Hearing Officer for consideration of a combined development plan hearing and Petition for Variance, pursuant to Section 26-206.1 of the Baltimore County Code. The legal owner of the property, The Painters Mill Venture, LLC, through Jack Baylin, Managing Member, and the Contract Purchaser, Atrium Village Corporation, by Ira D. Greene, President, jointly request approval of a development plan prepared by Morris & Ritchie Associates, Inc., dated January 27, 1997, with revisions dated March 28, 1997 and May 28, 1997, for the proposed development of the subject property, with a Class B elderly housing facility. In addition to development plan approval, the Owners/Developer also seek relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), pursuant to the Petition for Variance filed in Case No. 97-462-A, to permit 200 parking spaces in lieu of the required 259 spaces. The subject proposal and requested relief are more particularly described on the site plan/development plan submitted into evidence as Developer's Exhibit 1.

Appearing at the public hearing required for this project were Ira D. Greene, President of Atrium Village Corporation, Co-Petitioner/Developer, Tim Madden, Professional Engineer with Morris Ritchie & Associates, who prepared the site plan/development plan for this project, Bill

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Date

By

Meyers, Thomas Frech, and David M. Meadows, Esquire, attorney for the Owners/Developer. Henry LeBrun appeared on behalf of an adjacent property owner. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing, including Donald T. Rascoe, Project Manager, Stephany Wright, Land Acquisition, and Robert W. Bowling, Development Plans Review, all divisions of the Department of Permits and Development Management (DPDM), Irv McDaniel with the Office of Planning, R. Bruce Seeley with the Department of Environmental Protection and Resource Management, and Jean Tansey with the Department of Recreation & Parks. No residents from the surrounding locale appeared.

As to the history of this project, the concept plan conference for this development was conducted on July 22, 1996. As required, a community input meeting was held on August 21, 1996 at the Deer Park Middle School. Subsequently, a development plan was submitted and a conference held thereon on May 21, 1997. Following the submission of that plan, comments were submitted by the appropriate reviewing agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on June 12, 1997.

An examination of the site plan/development plan discloses that the subject property is an irregularly shaped parcel, consisting of 7.1 acres, zoned R.A.E.2. The property is located in the Owings Mills New Town community, not far from the interchange of I-795 and Owings Mills Boulevard. Vehicular access to the property will actually be by a proposed street, shown on the plan as Macanudo Court, which will terminate as a cul-de-sac at the southwest corner of the property. Vehicular access to Macanudo Court is by way of Lakeside Boulevard.

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As noted above, the Owner/Developer proposes to develop the site with a Class B elderly housing facility, consisting of 216 independent living units and 46 assisted care units for a total 262 units. The proposed building will be a 10-story high-rise, Y-shaped with a main entrance and two readily definable wings. The building will also contain a chapel and small scale retail shops for tenant use only. In addition, a child and adult day-care center is proposed to be located within the facility and will be open to the surrounding community. The plan also shows a large parking area, containing 200 parking spaces and several areas of amenity open space for recreational purposes.

Section 26-206 of the Baltimore County Code regulates the format and conduct of the Hearing Officer's hearing. I am required to first identify any open issues and/or unresolved agency comments. If any such conditions exist, then the hearing proceeds to a second stage wherein testimony is taken concerning the open issues/unresolved comments. In this case, several issues were identified which need be resolved by this Opinion and Order.

The first such issue was raised by the Department of Recreation and Parks and the Office of Planning for which testimony was taken from Jean Tansey and Irvin McDaniel, respectively. Essentially, the issue relates to adjacent properties and not the property which is the subject of this development plan hearing.

As noted by the County witnesses, an adjacent property immediately abutting the subject site to the north, contains Meadow Road, a small macadam drive, which is buffered on both sides by woods, and undeveloped land. Apparently, in the planning of the Owings Mills New Town Center at large, this property was designated as a significant link in the Owings

ORDER RECEIVED FOR FILING
Date 6/24/97
By [Signature]

Mills stream valley park system. The County representatives present offered as evidence, a copy of a document entitled "Memorandum of Understanding" which relates to the Owings Mills growth area and the Red Run employment corridor. This Memorandum of Understanding was executed by former County Executive Roger B. Hayden on behalf of Baltimore County and a number of private landowners in the area. Included among these private landowners was the property owner herein, The Painters Mill Venture, by Jack Baylin, Managing Member. That document states, in part, that the private sector has pledged to give rights-of-way and easements for the proposed park system. (See Paragraph D, Background, Page 3.) The Agreement also provides that an open space system will be created to replace a lake which was originally planned. (Paragraph G). Lastly, the document states, "The private parties agree to provide from their tracts, at no cost to Baltimore County, such land and easements as are necessary to develop that portion of the stream valley park..." (Paragraph 3, Page 5). In view of this Memorandum of Understanding, Ms. Tansey and Mr. McDaniel identified as an issue their request that the property owner convey the adjacent land as requested in this Memorandum of Understanding.

The Developer, through Counsel and its engineer, believes that such a required condition to the approval of the subject development is inappropriate. Although the Developer does not repudiate its commitment under the Memorandum of Understanding, both Mr. Madden and Mr. Meadows indicated that the property which is the subject of this development plan hearing is only the 7.1 acre parcel identified, and that the conveyance of these off-site properties bears no reasonable nexus to the approval of this development plan. Moreover, the Developer's representatives indicated that a number of other portions of the off-site parcel controlled by the

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CLERK OF COURT
BALTIMORE COUNTY

Developer/Petitioner herein are still subject to development, and they believe that conveyance of the necessary property and easements should be deferred until these off-site development issues are finalized.

I agree with the Developer's analysis. In my judgment, the plan before me relates only to the 7.1 acre parcel which is to be used for the Atrium Village elderly housing facility. To require the conveyance or encumbrance of off-site land by easement as a condition precedent to the approval of this plan is inappropriate. In my opinion, the imposition of conditions to the approval of any plan, pursuant to Section 26-206(0) must bear a reasonable nexus to the parcel under consideration. Thus, I decline to require as a condition of approval the comment proposed by the Department of Recreation and Parks and the Office of Planning.

This is not to say that I repudiate the Memorandum of Understanding or in any way diminish the Developer's commitment. In my judgment, the Developer's commitment to make the necessary conveyances and encumbrances for the Owings Mills stream valley park is valid and binding and that commitment is not weakened by the approval of the development plan offered herein. To the contrary, the Developer's representatives testified under oath in open hearing, that the Developer intended on complying with his responsibilities as spelled out in the Memorandum of Understanding. However, this issue is a question of timing, as well as the Hearing Officer's authority to bind properties which are not a part of the parcel under consideration before him. For these reasons, I decline to incorporate compliance with this comment as a condition of approval.

The second issue raised by the County representatives was raised by Mr. McDaniel of the Office of Planning. This relates to the design of Macanudo Court, the access road which provides the connection from this

property to Lakeside Boulevard. As set forth in its comment, the Office of Planning suggests a reconfiguration of Macanudo Court and certain improvements thereto. Most of these improvements relate to additional landscaping (i.e., street trees) along the road as well as a desire for a less paved treatment of the road at the terminus of the cul-de-sac. The Developer does not wish to make these improvements. Although apparently recognizing the long-term County policy that the first Developer of a parcel which will utilize a new road is responsible for the construction of said road, the Developer believes that the proposed improvements to Macanudo Court as suggested by the Office of Planning are inappropriate. Additionally, the Developer offered a copy of a previously approved CRG plan (Developer's Exhibit 2) which it contends established the final design of Macanudo Road. The Developer's engineer also pointed out that Macanudo Court is not actually part of this development in that the majority of the length of the road is off-site.

Although the majority of the roadway is indeed off-site, the Developer's arguments in this respect are disingenuous. First, my analysis of the previously approved CRG plan (Developer's Exhibit 2) is persuasive to the conclusion that the road which will eventually become Macanudo Court was shown on that drawing in only a conceptual fashion and not in finite engineering detail. The roadway is shown on that part of the CRG plan labelled "future development" and does not appear to be part of "Section 3" which is that part of the Village of Painters Mill which was proposed for development under the CRG plan. Secondly, the claims that the road is off-site and not this Developer's responsibility ignores the reality of this parcel and its development potential. Obviously, in order for the subject property to be developed, vehicular access thereto must be provid-

ed. If this Developer is determined to move forward with this plan first, prior to the development of any adjacent sites by other property owners, it must do so with the realization that it must be responsible for vehicular access. Once this site is developed and the road is built, it will be too late to implement the improvements which the Office of Planning desires.

As is clear from the agency comments which have been generated, the development of the Owings Mills area at large has proceeded with a commitment that the design and layout of the community and infrastructure supporting same will be of high quality. As stated in the Planning comment, the road networks throughout Owings Mills generally contain planted medians and extensive landscaping along the street edges. As is also noted, Baltimore County has committed a large amount of resources, time and energy into assuring that this growth area will be developed to the highest quality possible.

For all of these reasons, I will require, as a condition to the approval of the plan, compliance with the comments offered by the Office of Planning. I will not set out herein the exact configuration of the roadway to be constructed, nor the improvements thereto. As a condition precedent to the approval of the plan, I will require that the Developer submit to the appropriate agencies of Baltimore County, for review and approval, a plan for the layout of Macanudo Court. That plan shall be in substantial accordance with the comments offered by the Office of Planning.

In addition to these two major issues, a number of other issues were raised by the County representatives who attended the hearing. These issues are set forth within the development plan comments submitted by the various County reviewing agencies. Once such issue was raised in the

Office of Planning comments which suggests that a requirement be imposed to show pedestrian access from the proposed building to Meadow Road. In response, the Developer argued that such access would require off-site improvements, e.g., improvement to lands which are outside the four corners of the 7.1 acre parcel at issue. Additionally, the Developer pointed out that access to the tract boundary was already shown and that there was a significant difference from the grade of the building at its entrance and the floor of the stream valley park system. Particularly with the age of the potential residents of the Atrium Village building, it was argued that this additional access to Meadow Road should not be required. I agree with the Developer's position. In this regard, I am satisfied that access need only be shown from the building to the tract boundary.

Another issue raised in the comments offered by the Office of Planning related to amenity open space. In this regard, the Developer indicated that the plan had been amended during the development review process to show an area of amenity open space immediately adjacent to the building on the northwest side and on the other side of the drive aisle which crosses the front of the building. In my judgment, these areas of amenity open space are appropriate and satisfy that requirement. I will require no change here.

The Office of Planning also requested that certain detail be shown on the amenity open space as it relates to benches, paving, lighting, landscaping and other such improvements. The Developer agreed in concept with this remark and same will be added on the final landscape plan. This constituted a resolution of this issue.

Additionally, issues were raised by the Office of Planning regarding the drawings which had been submitted with the development plan. A

UNRECORDED FOR PLANNING
6/26/97
DAN
BY

number of these issues related to the scale of the drawing, and the level of detail shown. I am satisfied that the level of detail shown is sufficient to allow this Hearing Officer to evaluate the plan and therefore will not require additional submissions as part of the Phase I approval process. Thus, compliance with this condition will not be necessary.

Finally, a comment is in order about the development plan comments offered by the Department of Environmental Protection and Resource Management. Apparently, the issues identified in these comments (See Betty Kelly's inter-office memorandum, dated June 7, 1997) are satisfied. The Developer indicated that it would comply with the terms and conditions contained within her memorandum.

But for the above issues, the Developer and County representatives present indicated that the plan was acceptable and in compliance with all County standards, requirements and regulations related to development. Thus, pursuant to Section 26-206, I shall approve the development plan, in accordance with the terms and conditions set forth herein. The Developer shall be required to resubmit the development plan incorporating the terms and conditions contained within the body of this Opinion.

Turning to the Petition for Variance, same was not subject to any opposition by either the County representatives present or any interested persons. Testimony and evidence offered was that the 200 parking spaces proposed are more than sufficient to accommodate the proposed use. In this regard, it is to be noted that the residents of Atrium Village will be elderly and most, if not all, will not own motor vehicles. Moreover, the Developer will provide a van service to Mass Transit Administration facilities, shopping centers, senior centers, etc. Thus, it is clear that strict adherence to the parking requirements is not practically necessary.

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Date 6/24/97
By [Signature]

Moreover, additional parking areas would create additional impervious surfaces, which will result in a lesser quality design. Based upon the testimony and evidence presented, I shall grant the variance requested. In my judgment, the Petitioner has satisfied the requirements set forth in Section 307 of the B.C.Z.R. as construed by the case law.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter and the Petition for Variance shall be granted.


THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 26th day of June, 1997 that the development plan for Atrium Village, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the terms and conditions set forth in this Opinion and Order; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6 of the B.C.Z.R. to permit 200 parking spaces in lieu of the required 259 spaces, in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) Within thirty (30) days of the date of this Order, the Developer shall submit a revised development plan incorporating the terms and conditions of this Opinion.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LES:bjs


LAWRENCE E. SCHMIDT
Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING
JUN 26 1997
CLERK OF BALTIMORE COUNTY



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

June 26, 1997

David M. Meadows, Esquire
4111 E. Joppa Road, Suite 201
Baltimore, Maryland 21236

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE
S/S of Meadow Road, W of Painters Mill Road
(Atrium Village)
2nd Election District - 3rd Councilmanic District
The Painters Mill Venture, LLP, Owner;
Atrium Village Corporation, Developer
Case Nos. II-561 and 97-462-A

Dear Mr. Meadows:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Jack Baylin, Managing Member, The Painters Mill Venture, LLC
1006 Old Court Road, Pikesville, Md. 21208

Mr. Ira D. Green, President, Atrium Village Corporation
812 Regester Avenue, Baltimore, Md. 21239

Mr. Timothy Madden, Morris & Ritchie Associates
110 West Road, Towson, Md. 21204

Mr. Henry Lebrun, 212 Washington Avenue, Towson, Md. 21204
Don Rasco, Proj. Mgr., DPDM; DEPRM; DPW; People's Counsel; Case Files





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

E/S Meadow Road, Part of Hillside Tract,
Lands of Painters Mill Venture

97-462-A

which is presently zoned

RAE 2

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6 of the BCZR to permit 200 parking spaces in lieu of the 259 parking spaces required.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Atrium Village Corp.

(Type or Print Name)

By: Ira D. Greene
Signature Ira D. Greene, President

812 Regester Avenue

Address

Baltimore, Maryland 21239

City State Zipcode

Attorney for Petitioner:

David M. Meadows, MCR&L

(Type or Print Name)

David M. Meadows
Signature

Suite 201, 4111 E. Joppa Rd.

Address (410) 529-4600 Phone No.

Baltimore, Maryland 21236

City State Zipcode

The Painters Mill Venture, LLC

(Type or Print Name)

By: Jack Baylin
Signature Jack Baylin, Managing Member

(Type or Print Name)

Signature

1006 Old Court Road (410) 486-3100

Address Phone No

Pikesville, Maryland 21208

City State Zipcode

Name, Address and phone number of representative to be contacted.

David M. Meadows, Esquire

Name

Suite 201, 4111 E. Joppa Rd. (410) 529-4600

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: RT DATE 4-21-97

ITEM # 462

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

ATRIUM VILLAGE CORP. ATTACHMENT TO ZONING PETITION

97-462-A

Section 409.6 of the BCZR presents the project with a practical difficulty with regard to offstreet parking spaces, and the Petitioner requests a variance therefrom and in support thereof states:

1. The Atrium Village Development Plan envisions a mixed use elderly housing facility to include 216 independent living units, 46 assisted care units, an adult day care facility, child care facility, beauty/barber shop, gift shop, and coffee shop. Under Section 409.6(A)(1), the independent living units generate 216 parking spaces; 46 assisted day care units generate 23 parking spaces; adult day care generates three units; child day care generates three units; the beauty/barber shop generates three units; the gift shop generates six units; and the coffee shop generates six units for a total parking requirement of 259 parking spaces (See, note 10 Atrium Village Development Plan [architectural details and notes]).

The project consists of one highrise elderly housing building on approximately 7.1 acres. As can be seen in a plat to accompany the Zoning Petition, the Development Plan, and Schematic Landscape Plan, the topography of the site slopes downward from the proposed front of the facility to the rear of the facility at a gross slope of approximately 20%. Baltimore County Regulations require that parking facilities have a maximum slope of no more than five (5%) percent. Because of the projected clientele of the project, the slope planned in the Development Plan is limited to three (3%) percent for parking facilities. Therefore, the generation of 259 parking units in the unique circumstances of the topography of the site creates a practical difficulty. Furthermore, although the RAE 2 zone requires parking for a commercial uses contained within the facility, as noted in Note 10 and Note 17 accompanying the Development Plan, the majority of those uses will be for tenants and their family members. The proposed 200 parking units will adequately meet the parking needs for the proposed development and its users. Further, the proposed units meet all other zoning requirements, the spirit and intent of the zoning regulations and are not detrimental to the public's safety and welfare.

2. The Atrium Village Development Plan is designed for both independent elderly living and for more acute and assisted care units for which a Certificate of Need has been granted by the State of Maryland. Therefore, the residents projected for the facility will, by their nature, demand less independent automobile parking requirements.

3. Any and all other reasons to be presented at the time of the hearing.

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Date

By

ITEM # 462

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

97-462-SPH

BEGINNING for the same at a point on the northeast side of the revised Macanudo Court, 50 foot radial width, which is located 484 feet, more or less, from the intersection of the centerline of Macanudo Court with the centerline of Lakeside Boulevard, thence the following courses and distances:

By a curve to the left with a radius of 50.00 feet, an arc length of 62.71 feet, and a chord of North 65° 53' 59" West 58.68 feet, North 11° 49' 53" West 185.42 feet, North 22° 23' 04" West 115.16 feet, North 45° 49' 48" East 274.50 feet, North 75° 31' 05" East 351.00 feet, South 78° 10' 51" East 145.50 feet, South 33° 53' 56" East 143.50 feet, South 36° 50' 24" West 66.00 feet, South 00° 28' 24" West 59.24 feet, South 13° 55' 24" West 265.30 feet, North 85° 34' 48" West 61.50 feet, and South 80° 26' 21" West 465.00 feet to the place of beginning.

CONTAINING 7.343 acres of land more or less.

BEING known as 4723 Macanudo Court and located in the Second Election District.



ITEM# 462

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/15, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/15, 1997.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

A. H. Henricks

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case 20-4624
(Antium Village)
N/S Meeting Room Bldg
N from C.T. Road to Towson
201 Meeting Room Bldg
3rd Courtyard
Legal Owner(s):
The Painters Mills Venture, LLC

Contract Purchaser(s):

Antium Village Corporation
Variances: to permit 200 parking spaces in lieu of 258 parking spaces required.
Hearing: Thursday, June 12, 1997 at 8:00 a.m., 4th floor hearing room Courte Bldg, 401 Bussey Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations
Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

5/27/97 May 15 C143430

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

97-462 A

No.

035903

DATE

4-21-97

ACCOUNT

R-001 6150

AMOUNT

\$ 250.00

RECEIVED
FROM:

ATRIUM VILLAGE CORP.

FOR:

Code # 030 VARIANCE (MACANUDO COURT)

Reg. 11

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

04/21/97 02 5 349 P 0150

Dept 5 513 ZONING VERIFICATION

UP NO. 035903

\$250.00 OK P-4-1-9

Baltimore County Maryland

Office Of Budget & Finance

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083568

DATE

6/20/00

ACCOUNT

001-6150

AMOUNT

\$ 40.00 (BR)

RECEIVED
FROM:

Atrium Village

FOR:

00-1786

4730 Atrium Ct

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

06/20/00 02 5 349 P 0150

REG 1782 CASHIER POOL AND VERIFY

Dept 5 530 ZONING VERIFICATION

Receipt # 140667

UP NO. 083568

Receipt Tot

40.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 079002

DATE 3/7/00 ACCOUNT 001-6150

AMOUNT \$ 40.00 (MJK)

RECEIVED FROM: MORRIS + RITCHIE

FOR: CC-416

ATRIUM VILLAGE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

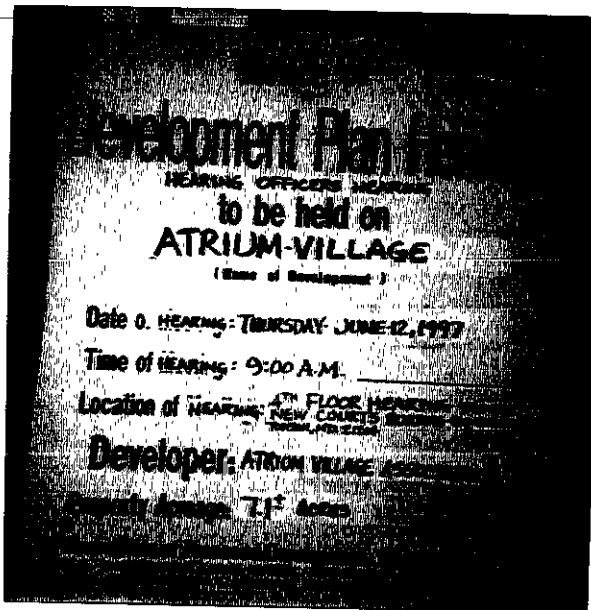
YELLOW - CUSTOMER

PAID RECEIPT

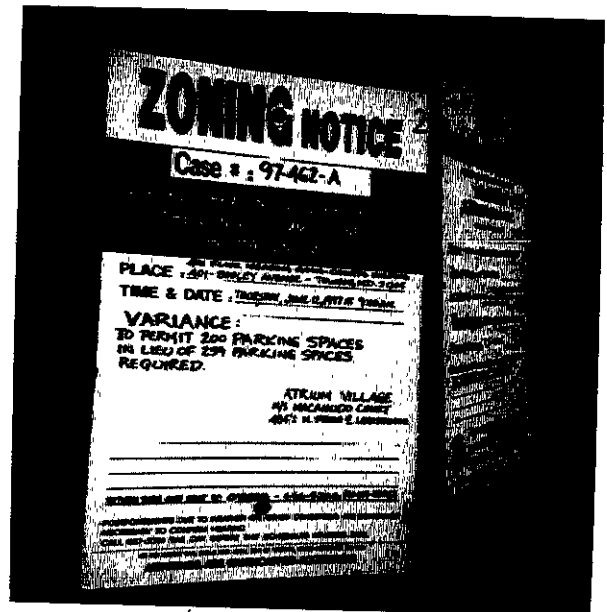
DATE 3/7/00 TIME 1:15
BY MJK CASHIER 001-6150
FOR CC-416 ATRIUM VILLAGE
AMOUNT 40.00
TOTAL 40.00

Signature [Signature] 40.00
Date 3/7/00 BY DR
Baltimore County, Maryland

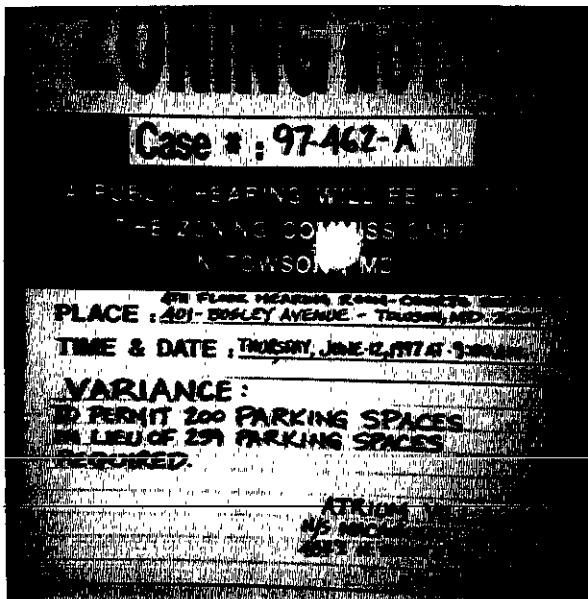
CASHIER'S VALIDATION



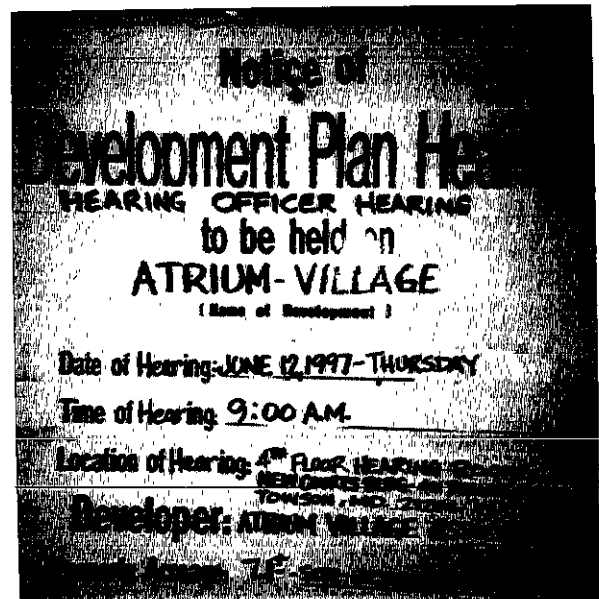
P.D.M. # 2-561
 MEADOWS RD. @ W/S RED RUN BLVD.
 H-6/12/97 P-5/14/97



97-462-A & P.D.M. - 2-561
 MEADOWS RD. @ ATRIUM
 W/S RED RUN BLVD. VILLAGE
 H-6/12/97 P. 5/14/97



97-462-A
 ATRIUM-VILLAGE N/S LAKESIDE
 BLVD. - EAST OF OWINGS MILLS BLVD
 H-6/12/97 P-5/14/97



P.D.M. - 2-561
 N/S LAKESIDE BLVD EAST OF
 OWINGS MILL BLVD.
 H-6/12/97 P-5/14/97

CERTIFICATE OF POSTING

H.O.A. ATRIUM VILLAGE

RE: Case No: 97-462-A

Petitioner/Developer ATRIUM VILL. ASSOC

% TIM MADDEN

Date of Hearing/Closing: 6/12/97

Development Plan Hearing HEARING OFFICER HEARING to be held on ATRIUM-VILLAGE (Name of Development)

Date of Hearing: JUNE 12, 1997 - THURSDAY

Time of Hearing: 9:00 A.M.

Location of Hearing: 1st Floor, Hearing Room

Developer: ATRIUM VILL. ASSOC

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at MEADOWS RD W/S RED RUN BLVD. & N/S LAKESIDE BLVD. E. OWING MILLS BLVD.

The sign(s) were posted on 5/14/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keele 5/14/97
(Signature of Sign Poster and Date)

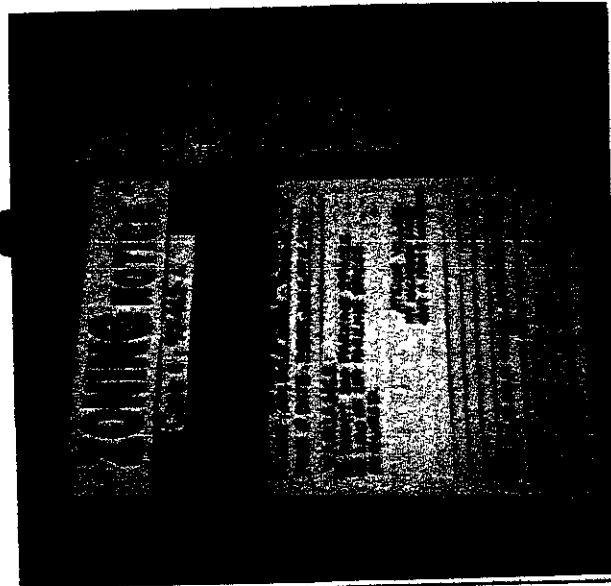
Patrick M. O'Keele
(Printed Name)

523 Penny Lane
(Address)

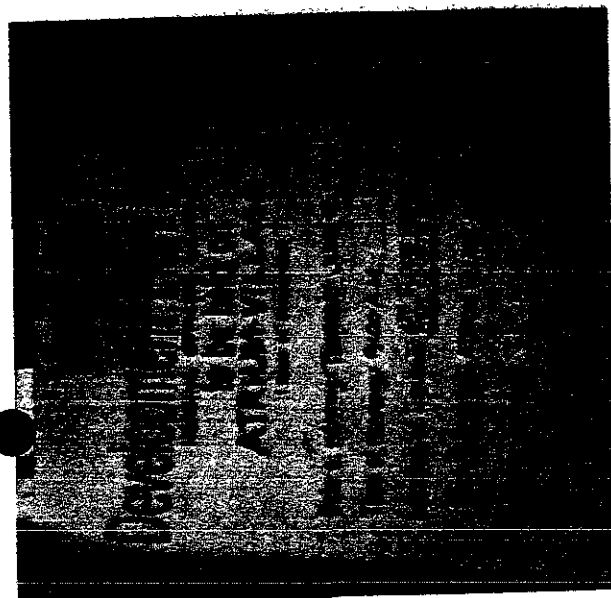
Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366
(Telephone Number)

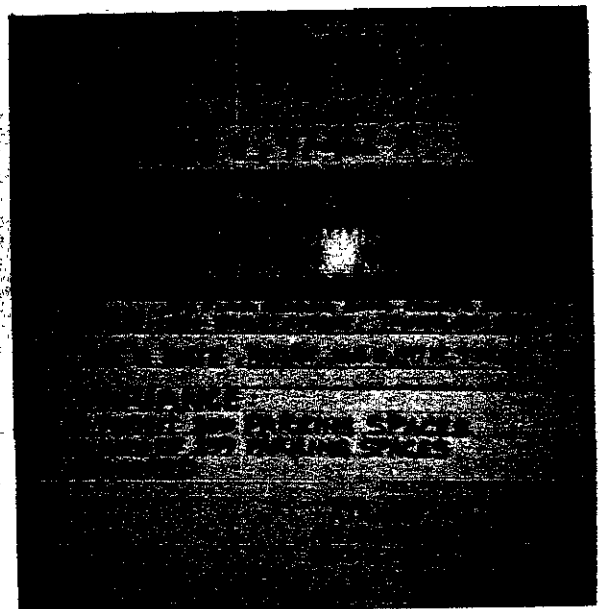
Page (410) 646 835



97-462-A & P.D.M. - 2-561
MEADOWS RD. @ ATRIUM
W/S RED RUN BLVD. VILLAGE
P. 5/14/97
5/6/12/97



P.D.M. # 2-561
MEADOWS RD, E W/S RED RUN BLVD.
P. 5/14/97
H-6/12/97



97-462-A
ATRIUM-VILLAGE N/S LAKESIDE
BLVD, -EAST OF OWING MILLS BLVD
H-6/12/97 P. 5/14/97

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-462 A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

VARIANCE TO ~~REQUEST~~ permit 200 parking spaces in
lieu of the 259 parking spaces required.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

1. 1st 7 rows
2. 1st 7 rows
To be in the
at the same
times 1st 7
R-

• 1st 7 rows

TO: PUTUXENT PUBLISHING COMPANY
May 15, 1997 Issue - Jeffersonian

Please forward billing to:

David M. Meadows, Esq.
4111 E. Joppa Road, #201
Baltimore, Maryland 21236
410-529-4600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-462-A
(Atrium Village)
N/S Macanudo Court, 484'+/- N from c/l Lakeside Boulevard
2nd Election District - 3rd Councilmanic
Legal Owner(s): The Painters Mill Venture, LLC
Contract Purchaser(s): Atrium Village Corporation

Variance to permit 200 parking spaces in lieu of 259 parking spaces required.

HEARING: THURSDAY, JUNE 12, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 9, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

PROJECT NUMBER: II-561

PROJECT NAME: Atrium Village

LOCATION: S/S Meadow Road, W of Painters Mill Road

ACRES: 10.1

DEVELOPER: Atrium Village Associates

PROPOSAL: 64 Elderly dwelling units - High Rise

and

CASE NUMBER: 97-462-A

(Atrium Village)

N/S Macanudo Court, 484' +/- N from c/l Lakeside Boulevard

2nd Election District - 3rd Councilmanic

Legal Owner(s): The Painters Mill Venture, LLC

Contract Purchaser(s): Atrium Village Corporation

Variance to permit 200 parking spaces in lieu of 259 parking spaces required.

HEARING: THURSDAY, JUNE 12, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: The Painters Mill Venture, LLC
Atrium Village Corporation
David M. Meadows, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

*NOTIFIED VIA TELEPHONE ON 5/7/97.



PDA
Signed.

**OWINGS MILLS GROWTH AREA
RED RUN EMPLOYMENT CORRIDOR**

**MEMORANDUM OF
UNDERSTANDING**

- **RED RUN BOULEVARD**
- **RED RUN SEWER INTERCEPTOR**
- **RED RUN STREAM VALLEY PARK**

**Baltimore County, Maryland
August, 1993**

KDR
Signed.

OWINGS MILLS GROWTH AREA
RED RUN EMPLOYMENT CORRIDOR

**MEMORANDUM OF
UNDERSTANDING**

- **RED RUN BOULEVARD**
- **RED RUN SEWER INTERCEPTOR**
- **RED RUN STREAM VALLEY PARK**

Baltimore County, Maryland

August, 1993

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM is the first of two documents that will express the understandings and commitments of the undersigned parties with respect to past and future actions that have been and will be taken to advance the development of the Red Run Corridor within the Owings Mills Growth Area. The parties intend, when road and sewer alignments have been finalized, to follow up this preliminary Memorandum with a more formal and legally binding contract, which will spell out in more detail the commitments outlined below.

Background

A. In May, 1984, the Baltimore County Council adopted a Master Plan for Owings Mills. The Master Plan included a proposed park system of approximately 2,579 acres, including 2,121 acres then in private ownership. A dam and lake were to be situated within the proposed park on Red Run. These elements of the 1984 Plan were developed over the next five to six years, and the park, lake, and stream valley network was established as a major amenity and design centerpiece in the 1989-2000 Master Plan for Baltimore County, adopted by the County Council in February, 1990 (the 1990 County Master Plan). A 1989 study commissioned by Baltimore County's Economic Development Commission indicated that the proposed lake, as a recreational and aesthetic amenity, would greatly enhance the development of the Owings Mills Growth Area. However, because of changed environmental standards at the federal and State levels, the County has had to abandon the lake as an element of the proposed Owings Mills park system. Planning for the park system has now shifted toward a stream valley park and

arboretum that would continue to provide a high-quality central amenity for Owings Mills.

B. Both the 1984 Master Plan for Owings Mills and the 1990 County Master Plan called for extensive transportation and utility work in the 800-acre sector to the northwest of the Owings Mills Town Center. This proposed work included the extension of sewer service and the extension of Red Run Boulevard north from Owings Mills Boulevard to Franklin Boulevard. The 1990 County Master Plan also called for two new interchanges with I-795, to relieve expected future congestion at Owings Mills Boulevard and Red Run Boulevard. The County pledged to make every effort, through its Capital Improvement Program, to ensure that the planned infrastructure would be provided as areas were occupied.

C. To implement the plans mentioned above, County agencies have proceeded with the planning, design, and construction of road and sewer infrastructure. This infrastructure has been sized and designed to provide adequate and efficient service as Owings Mills is fully built out under existing zoning. With respect to the extension of the Red Run sewer interceptor, plans have been made for extending service northward through the property of James T. Smith, Jr. and the Estate of Martin J. Smith. With respect to the road extension, plans have been made to extend Red Run Boulevard from its present terminus at Owings Mills Boulevard in a northwesterly direction to Franklin Boulevard. The County's approved Capital Budgets for fiscal years 1989 and 1994,

copies of pertinent portions of which are attached as Exhibit A, reflect the commitment of County funds (as well as the County's expectations of private funding) for both the road and the sewer extensions.

D. The private sector pledged, in agreements entered into as early as the time of the 1984 Master Plan (many of which have since expired), to give rights-of-way and easements for the park system and Red Run Boulevard, due to the anticipated value of the proposed road network and open space/ recreational amenity.

E. Federal, State, and local governments, on the one hand, and certain private parties (including parties to this Memorandum), on the other, have each already invested many millions of dollars in the infrastructure proposed in the 1984 Master Plan for Owings Mills and the 1990 County Master Plan. In addition, State and federal governments have invested hundreds of millions of dollars in the I-795 and Baltimore Metro systems. All of these heavy expenditures over many years have been based on the County's plans to make Owings Mills a regional town center where growth and development would be concentrated, so that adjacent rural areas could be preserved and protected, and so that the overall cost of providing adequate public facilities to County residents could be reduced.

F. All of the undersigned parties have a strong interest in the success of Baltimore County growth management and, more

particularly, in the long-term success of the Owings Mills Growth Area, and they acknowledge the importance to that success of the completion, insofar as possible, of the planned infrastructure mentioned in Paragraphs A and B above.

G. Despite the fact that the nature of the park system that was central to the County's plans has had to be altered, all of the parties remain committed to a high quality of development design and to the creation of an open space system that will replace the lake as a central recreational and aesthetic amenity in the heart of Owings Mills.

H. To advance the overall goal of a high-quality living and working environment in the Owings Mills Growth Area, the public and private sectors must work together to provide infrastructure, open space/recreational amenities, and design quality.

In light of these background understandings, the parties make the following commitments:

Commitments

1. The undersigned private parties, who own property situated along Red Run north of Owings Mills Boulevard, agree to provide from their tracts, at no cost to Baltimore County, such rights-of-way and easements as are necessary to extend Red Run Boulevard north from its present terminus at Owings Mills Boulevard to Franklin Boulevard, subject to the understanding that the alignment of

the extension will, to the extent possible, conform substantially to the alternative presently designed by Rummel, Klepper and Kahl, on the basis of which a series of private development plans has been prepared and approved. If the RK&K alignment cannot be approved by federal and State authorities, any changes to that alignment will be submitted to the parties for their review.

2. The private parties agree to provide from their tracts, at no cost to the County, such rights-of-way and easements as are necessary to extend the Red Run sewer interceptor through what the County has labeled Phases III and IV (i.e., from its current terminus through the Smith Property, subject to the following understandings: (a) the County will make every effort to locate the sewer, to the extent possible, along the presently designed subaqueous stream bed alignment, which has heretofore formed the basis for the preparation and approval of a series of private development plans; (b) the County will provide for a sewer of sufficient capacity to accommodate full build-out of Owings Mills in accordance with existing zoning; (c) the County will submit to the private parties for their review the final alignment of the sewer interceptor and planned lateral connections; and (d) the County will make every effort to locate the interceptor and the lateral connections in a manner that serves the needs of affected property owners.

3. The private parties agree to provide from their tracts, at no cost to Baltimore County, such land and easements as are

necessary to develop that portion of the stream valley park and arboretum proposed in the County's March, 1993 Draft Owings Mills Park and Open Space Concept Plan extending from Owings Mills Boulevard on the south to Franklin Boulevard on the north, subject to the understanding that the park will generally include only areas currently subject to the Baltimore County forest, stream, and wetland buffer regulations. This does not preclude the County's acquisition of additional land through negotiations with any of the private parties.

4. The commitments set out in Paragraphs 1-3 above are made with the understanding that the private parties will cooperate to ensure that each of their properties will have appropriate access to the road, sewer, and park network serving the Owings Mills Growth Area.

5. Baltimore County agrees to pursue the permits and other approvals necessary for extending Red Run Boulevard as described in Paragraph 1 above. Further, the County agrees, subject to fiscal availability, to maintain for that project the level of funding reflected in the County's approved Capital Budgets, Exhibit A. All of the parties agree to support efforts to explore means of providing such additional funds as may be necessary for the project. Alternate B in the memorandum attached as Exhibit B will be used as a basis for negotiating the cost of the road extension after a final alignment is determined.

6. The County agrees to pursue the permits and other approvals necessary for the sewer extension project described in Paragraph 2 above. Further, the County agrees, subject to fiscal availability, to maintain for that project the level of funding reflected in the County's approved Capital Budgets, Exhibit A.

7. The County agrees, subject to fiscal availability, to take all appropriate action, consistent with the sound exercise of its public responsibilities, to provide the funds necessary for the establishment and improvement of the stream valley park and arboretum described in Paragraph A above, including the portion described in Paragraph 3 above, with the understanding that the park is to be developed in such a manner as to constitute a significant open space and passive recreational amenity for the Owings Mills Growth Area. The private parties agree to cooperate in ensuring, to the extent possible, that development in proximity to the park is of such design and character as to be reasonably compatible with that amenity; however, this provision shall not unreasonably restrict development.

8. The County funding commitments set out in Paragraphs 5-7 above are made with the understanding that the County will receive, and are contingent upon the County's receipt of, the land and easements for the road and sewer extensions and for the stream valley park, as set out in Paragraphs 1-3 above.

9. If the final alignment of either Red Run Boulevard or the Red Run sewer interceptor adversely affects the economic value of the property of any of the private parties, the parties agree to negotiate appropriate equitable adjustments to the financial arrangement contemplated by this Memorandum and its Exhibits.

10. The County further agrees to consider watershed management proposals advanced by the private parties for controlling the quality and quantity of stormwater for their properties within the Owings Mills Growth Area.

11. The County further agrees to explore, in conjunction with the private sector, an interchange or partial interchange at I-795 and Dolfeld Boulevard, or, if such an interchange is not feasible, further improvements to the existing interchange at I-795 and Owings Mills Boulevard, or other alternatives to improve traffic circulation in Owings Mills.

12. The County further agrees that the staff of the County's Office of Planning and Zoning, in conjunction with other appropriate County agencies and officials, the private parties to this Memorandum, and any other interested parties, will carefully examine and, as appropriate, update the Master Plan for Owings Mills before the beginning of the 1996 comprehensive rezoning process in light of regulatory, physical and economic conditions.

13. This Memorandum expresses the general intent of the parties and their agreement in principle to work cooperatively so that the County can obtain the necessary permits and other approvals for the road, sewer extension, and stream valley park described in Paragraphs 1-3 above (the "infrastructure projects"). It will be necessary for the County to negotiate with each of the private parties to work out the details of the owner's and the County's rights and obligations with respect to each property. Upon the completion of these negotiations, and upon the approval of final alignments and receipt of the necessary permits or approvals for the road and sewer extensions from the appropriate federal and State agencies, the parties will convert this Memorandum, insofar as possible, into an enforceable Agreement or enforceable Agreements.

14. All of the preliminary commitments expressed above are made with the understanding that the infrastructure projects will be planned and realized in full or in significant part on or before July 1, 1995. On July 1, 1995, if each of the infrastructure projects has not been fully designed, or if all necessary approvals and permits for the infrastructure projects have not been obtained, or if this Memorandum has not been converted to an enforceable Agreement or Agreements, or if meaningful construction of one or more of the infrastructure projects has not begun, then this Memorandum shall become null and void and of no further effect whatsoever.

Signed this 31st day of August, 1993.

OWINGS MILLS NEW TOWN
KEVIN M. O'GRADY, TRUSTEE

BY: *Kevin M. O'Grady*

RIPARIUS DEVELOPMENT CORPORATION

BY: *John L. F. J.*

DANIEL MILLS LIMITED PARTNERSHIP

BY: *Hotel Venture Inc. General Partner*
Richard L. Leachman Pres.

STANLEY FRIEDLER

BY: *Stanley Friedler MD*

PAINTERS MILL VENTURE

BY: *MBK*

BETH TELLOH CONGREGATION

BY: *Samuel J. Sussman*

KENT-MAR DEVELOPMENT CORPORATION

BY: *Charles R. Leachman*

SMITH PROPERTY

BY: *Shirley Norick Smith*
Personal Representative,
Estate of Martin J. Smith
Am

BALTIMORE COUNTY, MARYLAND

BY: Roger B. Hayden
Roger B. Hayden, County Executive

E X H I B I T A

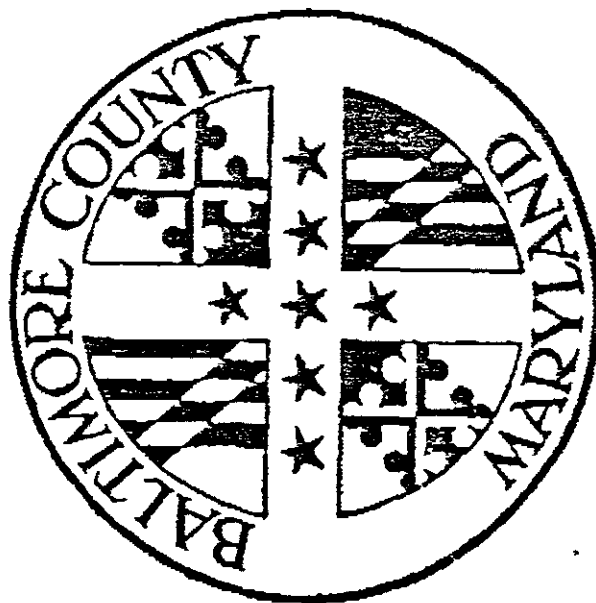
EXTRACTS FROM BALTIMORE COUNTY CAPITAL BUDGETS

CAPITAL BUDGET

Fiscal Year 1994

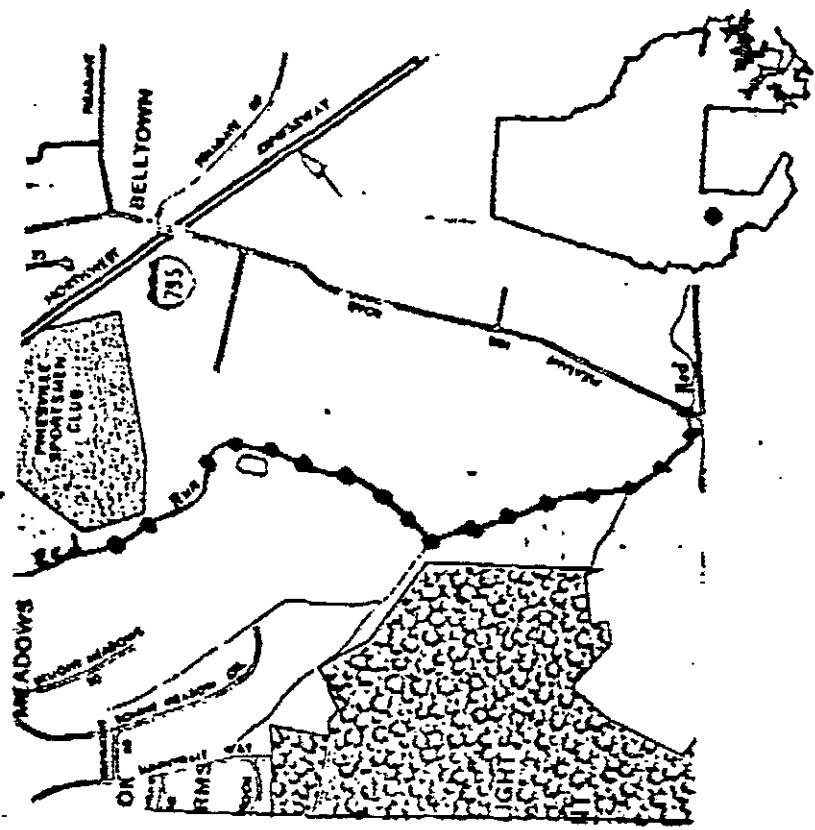
CAPITAL PROGRAM

Fiscal Years 1995 through 1999



Baltimore County, Maryland

Submitted April 15, 1993



| CLASS | PROJ NO. | JOB NO. | COUN. DIST. | MASTER PLAN CODE |
|-------|----------|---------|-------------|------------------|
| 01 | 004 | 0024 | 3.4. | 2,3,4. |

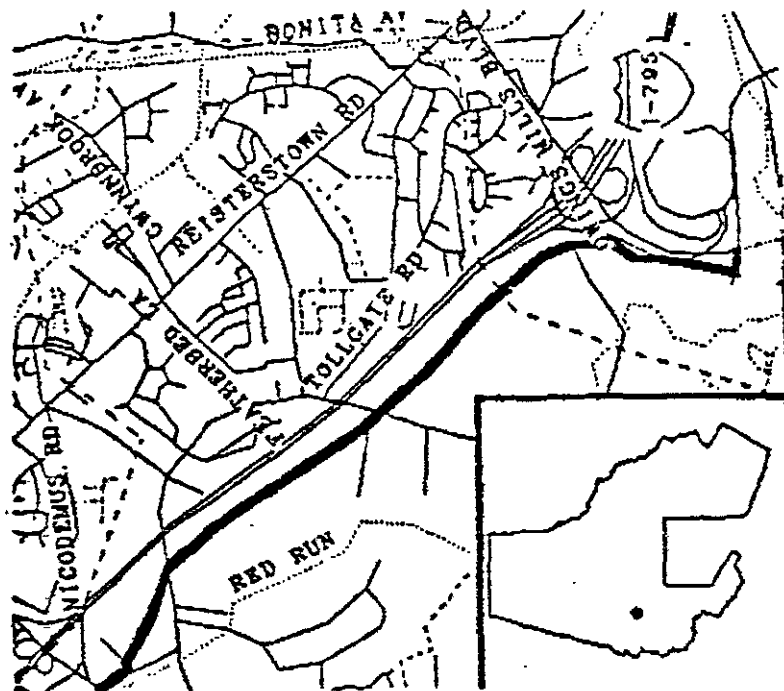
PROJECT TITLE: RED RUN INTERCEPTOR - PHASE IV

LOCATION: GWYNNS FALLS DRAINAGE AREA

| MASTER PLAN SECTOR |
|-----------------------|
| W. |

DESCRIPTION:
ANTICIPATED GROWTH IN THE OWINGS MILLS GROWTH AREA WILL REQUIRE THE CONSTRUCTION OF APPROXIMATELY 6350 FEET OF 16-INCH TO 30-INCH GRAVITY SEWER. CONSTRUCTION WILL NOT BEGIN UNTIL AFTER JULY 1994.

| PROJECT DETAILS | TOTAL COST | PRIOR AUTHORIZATIONS | BUDGET YEAR FY 1994 | FIVE YEAR CAPITAL PROGRAM | | | | | BALANCE TO COMPLETE |
|--------------------------------|--------------|----------------------|------------------------|---------------------------|---------|---------|---------|---------|---------------------|
| | | | | FY 1995 | FY 1996 | FY 1997 | FY 1998 | FY 1999 | |
| ENGINEERING (200) | 450 | 450 | | | | | | | |
| SITE ACQ. & RIGHT OF WAY (300) | 100 | 100 | | | | | | | |
| CONSTRUCTION (400) | 4,500 | | 4,500 | | | | | | |
| TOTAL COST | 5,050 | 550 | 4,500 | | | | | | 0 |
| OUTSIDE FUNDS: | | | | | | | | | |
| COUNTY FUNDS: | | | | | | | | | |
| METRO BONDS (451) | 5,050 | 550 | 4,500 | | | | | | |
| TOTAL FUNDS | 5,050 | 550 | 4,500 | | | | | | 0 |



| | | | | |
|-------|----------|---------|-------------|------------------|
| CLASS | PROJ NO. | JOB NO. | COUN. DIST. | MASTER PLAN CODE |
| 05 | 381 | 3 | 3 | |

PROJECT TITLE: RED RUN BOULEVARD

LOCATION: OWINGS MILLS BLVD TO FRANKLIN BLVD
OWINGS MILLSMASTER PLAN
SECTOR
W

DESCRIPTION:

THIS NEW ROAD WILL PROVIDE A COLLECTOR ROUTE BETWEEN THE OWINGS MILLS BLVD/NORTHWEST EXPRESSWAY INTERCHANGE AND THE FRANKLIN BLVD INTERCHANGE.

PHASE I - OWINGS MILLS TO PLEASANT HILL ROAD

PHASE II - PLEASANT HILL ROAD TO FRANKLIN BOULEVARD

PHASE III - EAST OF PAINTERS MILL RD TO DEAD END-1200 FT.

\$1,600,000 FOR RIGHTS-OF-WAY IN FY 94

\$7,100,000 FOR CONSTRUCTION IN FY 94

| PROJECT DETAILS | TOTAL COST | PRIOR AUTHORIZATIONS | BUDGET YEAR FY 1994 | FIVE YEAR CAPITAL PROGRAM | | | | | BALANCE TO COMPLETE |
|---|---------------|----------------------|------------------------|---------------------------|---------|---------|---------|---------|------------------------|
| | | | | FY 1995 | FY 1996 | FY 1997 | FY 1998 | FY 1999 | |
| ENGINEERING (200) | 2,235 | 2,235 | 1,600 | | | | | | |
| SITE ACQ. & RIGHT OF WAY (300) | 1,700 | 100 | 7,100 | | | | | | |
| CONSTRUCTION (400) | 14,300 | 7,200 | | | | | | | |
| TOTAL COST | 16,235 | 9,535 | 8,700 | | | | | | 0 |
| OUTSIDE FUNDS: DEV ASSIST - ST/BRIDGES (560) | 6,880 | 3,000 | 3,550 | | | | | | |
| COUNTY FUNDS: GEN OBLIG BONDS (441) | 10,899 | 5,749 | 5,150 | | | | | | |
| REALD GEN OBLIG BONDS (448) | 786 | 786 | | | | | | | |
| TOTAL FUNDS | 18,235 | 9,535 | 8,700 | | | | | | 0 |

CAPITAL BUDGET

*Five-Year Capital Program
Fiscal Year 1989*



*Dennis F. Rasmussen
Baltimore County Executive*

Adopted May 31, 1988

| | | | | |
|-------|----------|---------|--------------|-----------------|
| CLASS | PROJ NO. | JOB NO. | CUMUL. DIST. | PLAN OBJECTIVES |
| 01 | 004 | | 2.3 | 5 |

PROJECT TITLE: GWYNNS FALLS MAJOR FACILITIES

LOCATION: GWYNNS FALLS DRAINAGE AREA

| DESCRIPTION: | | | PRIOR |
|--------------|---------------------------------|--|-------------|
| JOB ORDER | PROJECT | | |
| 1-4-9 | GWYNNS FALLS INT/SEC I | | 87,700,000 |
| 1-4-10 | GWYNNS FALLS INT/SEC II | | 4,567,000 |
| 1-4-11 | GWYNNS FALLS INT/SEC III | | 4,400,000 |
| 1-4-12 | SCUTT'S LEVEL INTERCEPTOR | | 2,300,000 |
| 1-4-16 | RED RUN INTERCEPTOR STUDY | | 200,000 |
| 1-4-17 | ADJUST TO GWYNNS FALLS MTR | | 200,000 |
| 1-4-18 | RED RUN INT/SEC II | | 2,000,000 |
| 1-4-19 | RED RUN INT/SEC III | | 4,000,000 |
| 1-4-20 | RED RUN INTERCEPTOR - SEC. IV | | 1,000,000 |
| 1-4-21 | GWYNNS FALLS INT-REHABILITATION | | 500,000 |
| 1-4-22 | MURSEHEAD BRANCH INT. | | 300,000 |
| | | | 827,367,800 |

| PROJECT DETAILS | TOTAL COST | PRIOR ALLOCATIONS | BUDGET YEAR | FIVE YEAR CAPITAL PROGRAM | | | | | BALANCE TO COMPLETE |
|--------------------------------|------------|-------------------|-------------|---------------------------|---------|---------|---------|---------|---------------------|
| | | | | FY 1989 | FY 1990 | FY 1991 | FY 1992 | FY 1993 | |
| ENGINEERING (200) | 7,220 | 6,720 | 500 | | | | | | |
| SITE ACQ. & RIGHT OF WAY (300) | 720 | 720 | | | | | | | |
| CONSTRUCTION (400) | 19,927 | 19,927 | | | | | | | |
| TOTAL COST | 27,867 | 27,367 | 500 | | | | | | 0 |
| OUTSIDE FUNDS: | | | | | | | | | |
| COUNTY FUNDS | | | | | | | | | |
| METRO BONDS (451) | 25,737 | 25,737 | | | | | | | |
| METRO CONST FUNDS (351) | 2,130 | 1,630 | 500 | | | | | | |
| TOTAL FUNDS | 27,867 | 27,367 | 500 | | | | | | 0 |

E X H I B I T B

PROPOSED COST SHARING FOR RED RUN BOULEVARD

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: June 21, 1993

TO: P. David Fields, Director
Office of Planning

FROM: *for* Gene L. Neff, Director *GLN*
Department of Public Works

SUBJECT: Developer Participation in Construction of Red Run Blvd.

Following our discussion of last week concerning contributions of the development community toward the construction of Red Run Blvd. from Owings Mills Blvd. to Franklin Blvd., the Department of Public Works is prepared to elaborate on its position stated in our May 28, 1993, memorandum.

As stated in that memo, the County's Capital Budget anticipates a 40% cost assumption by developers in the initial construction of Red Run Blvd. with the County picking up the other 60%. Under that scenario, the initial construction would be a 24 ft. roadway with a paved 10 ft. shoulder on each side. As development proceeded, the developer would be required to bear the full cost to widen to the ultimate cross-section.

An acceptable alternative would allow for construction of a minimal roadway through this corridor without developer participation, except for donation of all rights-of-way required for the ultimate roadway. This minimal section would be a two-lane, 24 ft. roadway with grass or some form of unpaved shoulder on each side. Then as development occurred, the developer would be required to improve the two-lane, 24 ft. roadway to its ultimate section of a four lanes with a center turn lane, curb, gutter, storm drain, sidewalk and lighting. These improvements, including any additional engineering costs, would be fully funded by the development.

GLN:THH: dc

c: W. William Korpman
Robert Berner

RECEIVED

JUN 21 1993

OFFICE OF
PLANNING & ZONING

E X H I B I T C

LETTERS OF SUPPORT

- (i) The Rouse Company
- (ii) McDonogh Corporate Campus

THE ROUSE COMPANY

August 3, 1993

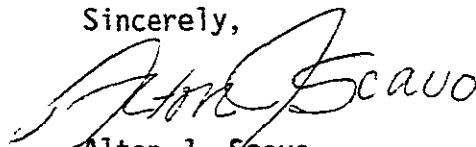
Mr. P. David Fields
Director
Baltimore County Office of
Planning and Zoning
401 Bosley Avenue
Towson, Maryland 21204

Dear David:

This letter is in support of Baltimore County's continued commitment to the Owings Mills Master Plan area. The Rouse Company fully supports the extension of public access and utility throughout Owings Mills consistent with the County's comprehensive zoning and Master Plan. Although not directly involved in the current expansion of public services, we strongly believe that only through the continued financial support of Baltimore County and private investment that the Owings Mills Master Plan's goals and objectives will be implemented and its potential assured. We as a land owner, major investor, and taxpayer compliment Baltimore County on its comprehensive planning efforts and the vision which has so successfully distinguished Owings Mills from the competition. The continued commitment expands and enhances the opportunities for all involved. Baltimore County's long term economic health depends on improvements which will position Owings Mills for the market recovery. Only through a sustained focus can Owings Mills maintain the well deserved reputation and achieve the community's expectations.

The Rouse Company is proud to be a part of the County's strategies for Owings Mills and reaffirms its continued support of the Master Plan and Baltimore County's leadership.

Sincerely,



Alton J. Scavo
Vice President

AJS/lsm

cc: The Honorable Roger B. Hayden



McDONOGH
Land Resources

August 10, 1993

Mr. David Fields
Director of Planning
Baltimore County
County Courts Building Suite 406
401 Bosley Avenue
Towson, MD 21410

Dear Mr. Fields,

The Owings Mills Corporate Campus understands that the latest draft of the Memorandum of Understanding will be signed shortly by the County and the developers most affected by that Memorandum. We want to take this opportunity to register our continuing support of Baltimore County's efforts to secure an acceptable alignment for Red Run Boulevard North and to achieve approvals for a cost effective sewer for that area. We do not perceive it to be in the best long term interest of the Owings Mills Corporate Campus for Owings Mills growth to be curtailed and County funds allocated elsewhere. To this end, we have offered the benefit of extensive traffic work commissioned by McDonogh's Board of Trustees and carried out by Mr. Wes Guckert of the Traffic Group. We also have been and continue to be available for counsel and support in other areas as strategies unfold to acquire these approvals.

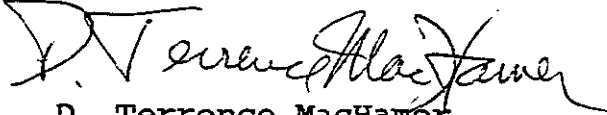
In addition, we are prepared to participate fully in addressing the Owings Mills Master Plan in a comprehensive fashion so that the long term future of Owings Mills remains bright. Such effort involves far more than responding to current market forces. We are also prepared to devote our energies, along with those of the County, area businesses and other development interests to attract new companies to Owings Mills. To succeed in this effort, we believe we must continue to position Owings Mills as the premier corporate environment in the region where significant land holdings are available for quality development. As you know, we have invested in a full infrastructure at the Owings Mills Corporate Campus. We have major tenants in place to the benefit of the Owings Mills Corporate Campus, the Owings Mills growth area, and the County. A substantial change in the character of the environment risks losing the potential of attracting quality companies like T. Rowe Price, Alexander and Alexander and Baltimore Life, and with them, quality jobs for the County.

Mr. David Fields
Page 2
August 10, 1993

We believe we have an excellent relationship with Baltimore County and share your goals for quality growth. The Owings Mills Corporate Campus will continue to support Baltimore County in its efforts to foster such quality development in Owings Mills.

Indeed, we feel these quality objectives are shared by many development interests in the Town Center and want to continue to work with all parties - many of whom have made significant investments in Owings Mills - to help the original vision for Owings Mills unfold successfully.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Terrence MacHamer". The signature is fluid and cursive, with the first name "D." being a large, stylized initial.

D. Terrence MacHamer
Director of Land Resources

cc: Garland P. Moore, Jr.
Chairman, Land Use Committee
Board of Trustees



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 6, 1997

David M. Meadows, Esquire
4111 E. Joppa Road, Suite 201
Baltimore, MD 21236

RE: Item No.: 462
Case No.: 97-462-A
Petitioner: Painters Mill Venture

Dear Mr. Meadows:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 21, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

May 8, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: The Painters Mill Venture, Inc.
Jerry Thurston
Manor Health Care Corporation
Baltimore County Lodge #4 of Fraternal
Order of Police, Inc.

Location: DISTRIBUTION MEETING OF May 5, 1997

Item No.: 462, 472, 481, 485. Zoning Agenda:

Gentlemen:

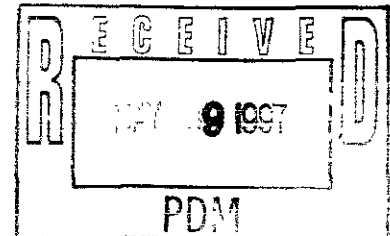
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 867-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 5-6-97
Item No. 462 RT

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

John Alexander 97-2363

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

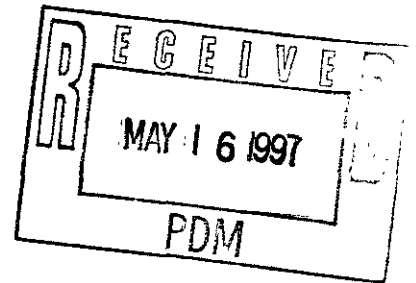
5/18/97

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: May 14, 1997

FROM: *Pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for May 12, 1997
Item Nos. 462, 463, 464, 471, 473,
474, 475, 477, 478, 479, 480, 482,
483, 484, 487 and Case No. 97-409-XA



The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE512.NOC

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN CONFERENCE

TO: Arnold Jablon, Director - Department of Permits & Development Management

FROM: Arnold F. (Pat) Keller, III, Director - Office of Planning

DATE: May 21, 1997

PROJECT NAME: Atrium Village

PROJECT NUMBER: II-561

PROJECT PLANNER: Ervin McDaniel

GENERAL INFORMATION:

Applicant Name: The Painters Mill Venture, LLC

106 Old Court Road

Pikesville MD 21208

Location: S/S Meadow Road; W of Painters Mill Road

Councilmanic District: 3rd

Growth Management Area: Urban Center - Owings Mills

Zoning: RAE 2

Acres: 10.0± acres

Surrounding Zoning and Land Use:

| | | |
|--------|-------|-------------|
| North: | O.T. | Undeveloped |
| South: | RAE 2 | Undeveloped |
| East: | RAE 2 | Undeveloped |
| West: | RAE 2 | Undeveloped |

Project Proposal:

The applicant proposes a high rise elderly housing building (Class "B"). The building will consist of 216 independent living units and 46 assisted care units for a total of 262 dwelling units. On site child care and adult daycare will be provided. The building will also contain a chapel and small scale retail shops for tenant use only.

PROJECT NAME: Atrium Village

PROJECT NUMBER: II-561

The site consists of meadows, hedgerows, brush and forest with some steep slopes and Red Run stream to the west and north. A variance is being requested to permit a community identification sign greater than 15 square feet and to permit 200 parking spaces in lieu of 259 required spaces.

Other Anticipated Actions and Additional Review Items:

| | | |
|--|---|--------------------------------|
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Referral to Planning Board | <input type="checkbox"/> PUD |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Compatibility | <input type="checkbox"/> Other |
| <input type="checkbox"/> Waiver | <input type="checkbox"/> Scenic Route | |
| <input type="checkbox"/> RTA Modification | <input type="checkbox"/> Design Review Panel | |

MEETINGS:

| | | | |
|-----------------------------|-------------------|---------------------------|-------------------|
| Concept Plan Conference | <u>07/ 22/ 96</u> | Community Input Meeting | <u>08/ 21/ 96</u> |
| Development Plan Conference | <u>05/ 21/ 97</u> | Hearing Officer's Hearing | <u>06/ 06/ 97</u> |

RECOMMENDATION

The Office of Planning has reviewed the Development Plan for conformance with the Concept Plan comments of **July 22, 1996**, and **CANNOT** recommend Development Plan approval until the following information that was requested as part of the Concept Plan Conference is submitted to the Planning Office.

MASTER PLAN

The site is part of a larger area for which concepts were proposed as part of the Owings Mills Master Plan. The Applicant should demonstrate how this proposal fits in the overall context of the Master Plan area.

DESIGN

1. Provide for pedestrian access from the building to Meadow Road. This access should be a durable surface with steps where required to accommodate slopes.
2. The Owings Mills Park and Open Space Concept Plan indicates that Meadow Road is a significant link in the Owings Mills Stream Valley Park System. The entire Forest Conservation Area, which includes a portion of Meadow Road should be dedicated to Baltimore County as a recreational Greenway.
3. The Amenity Open Space should relate to the terrace level where common activity areas occur: dining, and the adult and child day care. The location of the AOS should be studied in order to avoid crossing of the parking lots for access and to establish this space as an exterior extension of the common use areas of the building.

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| | | |
|-------------------------|----------------------------------|-------------|
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| <u> X </u> Variance | _____ Compatibility | _____ Other |
| _____ Waiver | _____ Scenic Route | |
| _____ RTA Modification | _____ Design Review Panel | |

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4. The AOS should be suitably improved for use by residents to include benches, paving, lighting and landscaping. A detail should be provided with the Development Plan.
5. If dumpsters are to be used, enclosures should be of materials similar to building architecture.
6. The following drawings are required with Development Plan submission:
 - a. architectural elevations of all facades showing materials and colors drawn at a scale of $1/8" = 1' - 0"$ minimum;
 - b. design and placement of site lighting;
 - c. typical elevation of proposed walls (the materials should match the building);
 - d. definition and treatment of private patio areas on ground level to include planting and privacy walls.

Macanudo Court:

The Office of Planning is concerned about the public entrance road (Macanudo CT.) to Atrium Village. There are two major parcels of land, one owned by Lyons Mill Association, L.P. and the other owned by Painters Mill Venture which would have development access onto this court. The development of these parcels is expected to be quite intense residential development as the majority of land within these two parcels is zoned RAE 2 (80 dwelling units per acre).

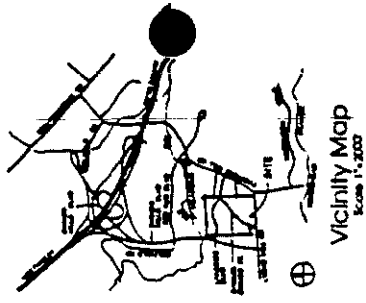
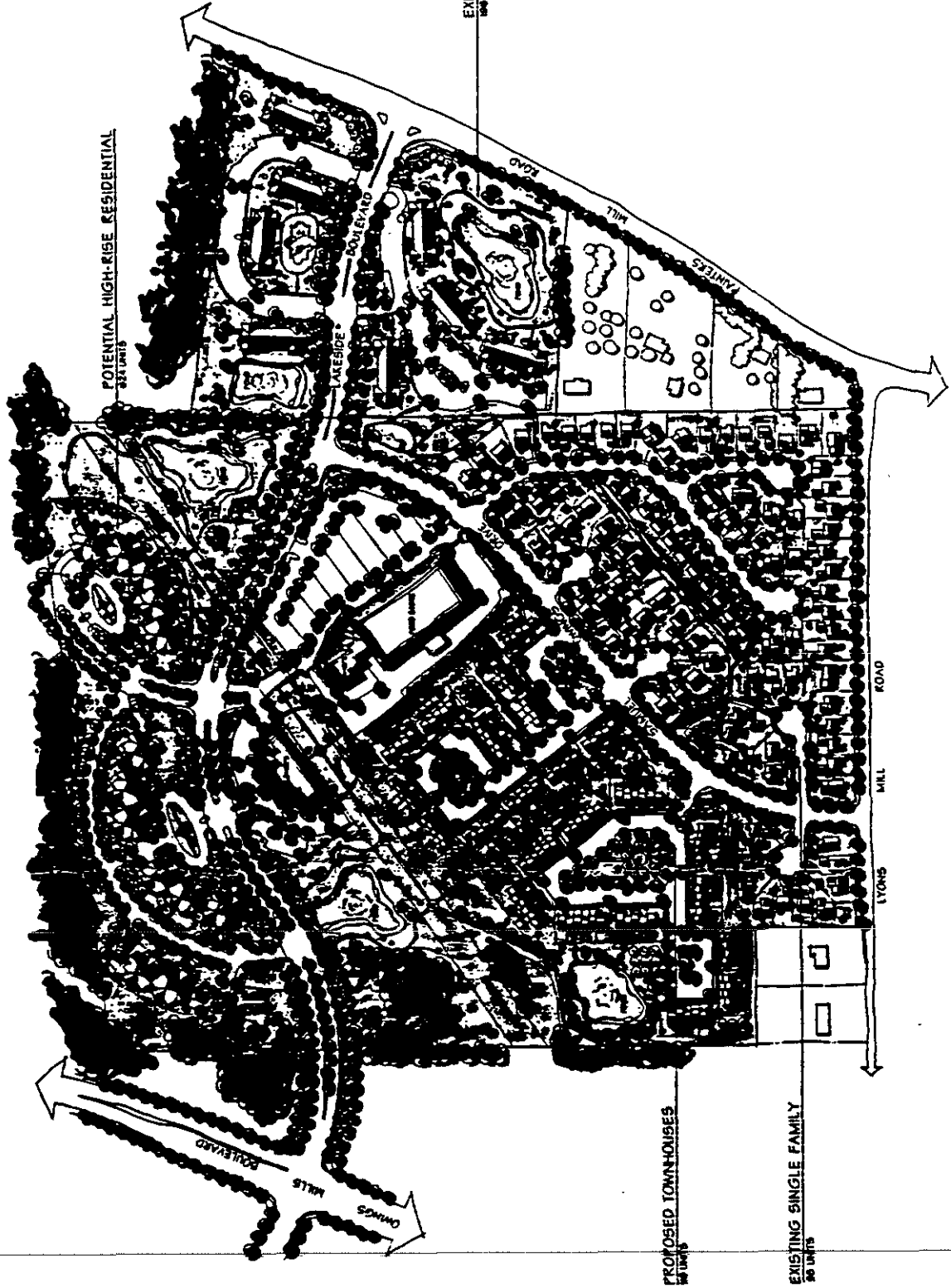
An Illustrative Site Plan, entitled, Village of Painters Mill dated March 1996 shows the road network to these areas containing planted medians and extensive landscaping along the street edges. Due to the intense residential development potential of this area, the public street design proposed by the applicant is not acceptable. Road designs showing a 60 foot paved section on an 80 foot right-of-way does not address a high density residential development pattern from a functional or aesthetic perspective. The proposed cul-de-sac with a 90 foot paved diameter on a 100 foot right-of-way also defeats the high density residential quality of the area. Baltimore County has committed large amounts of resources, time and energy into assuring that this growth area will be developed to the highest quality possible.

Staff recommends that Macanudo Court be reconfigured to 1) provide a planted median along its length as well as significant street trees along the edges, and 2) a less paved treatment be provided at its terminus of the cul-de-sac with the entrance to Atrium Village. Attached please find some acceptable alternatives that have been used in Montgomery County, Maryland.

Division Chief: *Erwin McDaniel*

EMcD:lsn

Attachments
9602561.DEV/PZONE/CONCEPT



Residential Summary

| | |
|---------------|--------------|
| SINGLE FAMILY | 96 |
| TOWNHOUSES | 119 |
| APARTMENTS | 196 |
| HIGH-RISE | 624 |
| TOTAL | 1,037 |

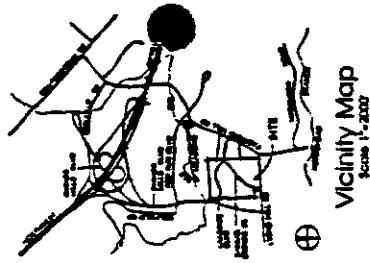
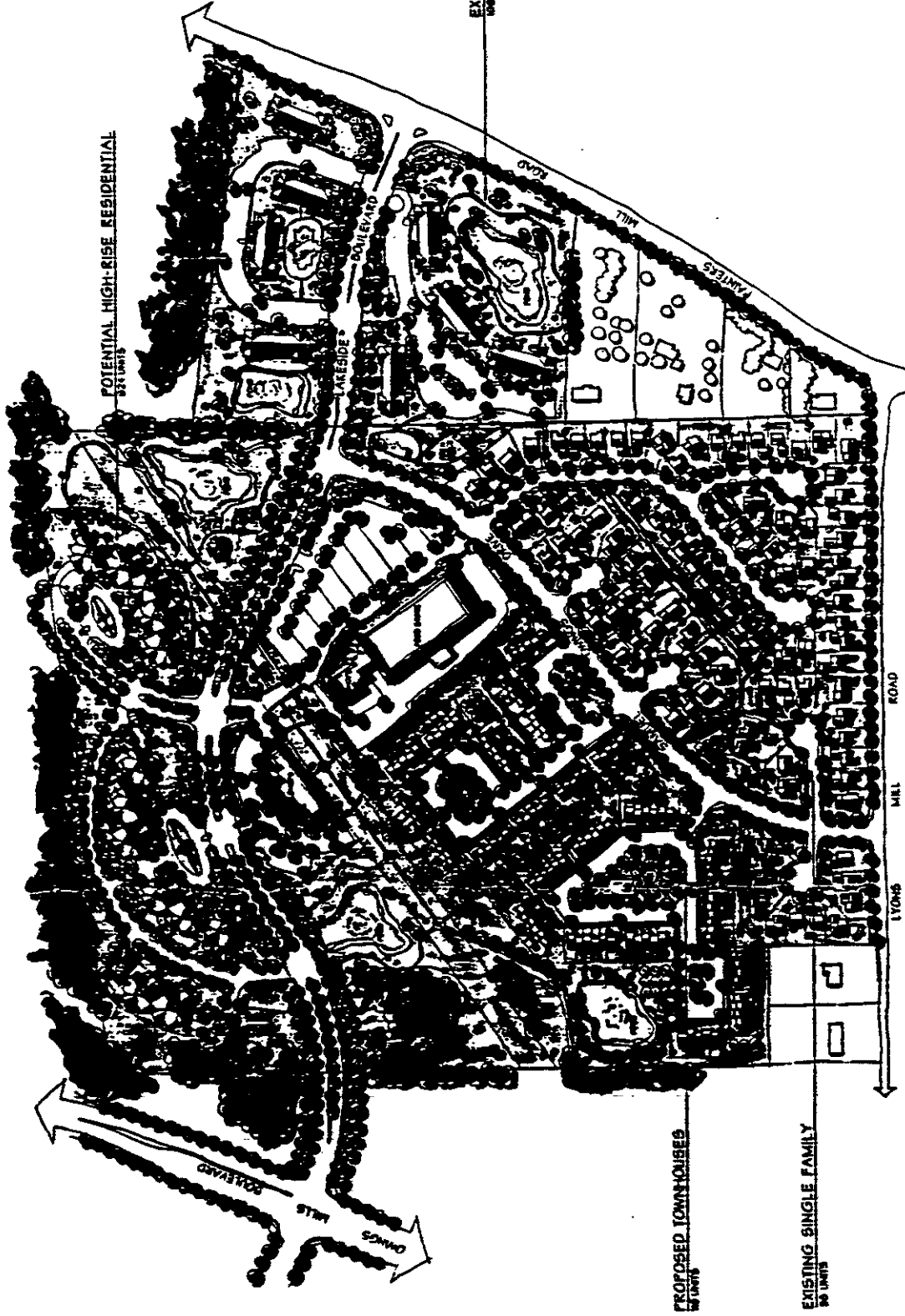
Retail Summary

| | |
|--|--------------------|
| FOOD STORE | 40,200 s.f. |
| SHOPS | 10,600 s.f. |
| (includes food store) | |
| SHOPS | 20,000 s.f. |
| (includes public services) | |
| TOTAL | 79,000 s.f. |
| PARKING REQUIRED (@ 3 cars/1,000 s.f.) | 595 sp. |
| PARKING SHOWN | 595 sp. |

Illustrative

Village of Painters Mill





Vicinity Map
Scale 1"=200'

EXISTING CHASE MILL APARTMENTS
100 UNITS

Residential Summary

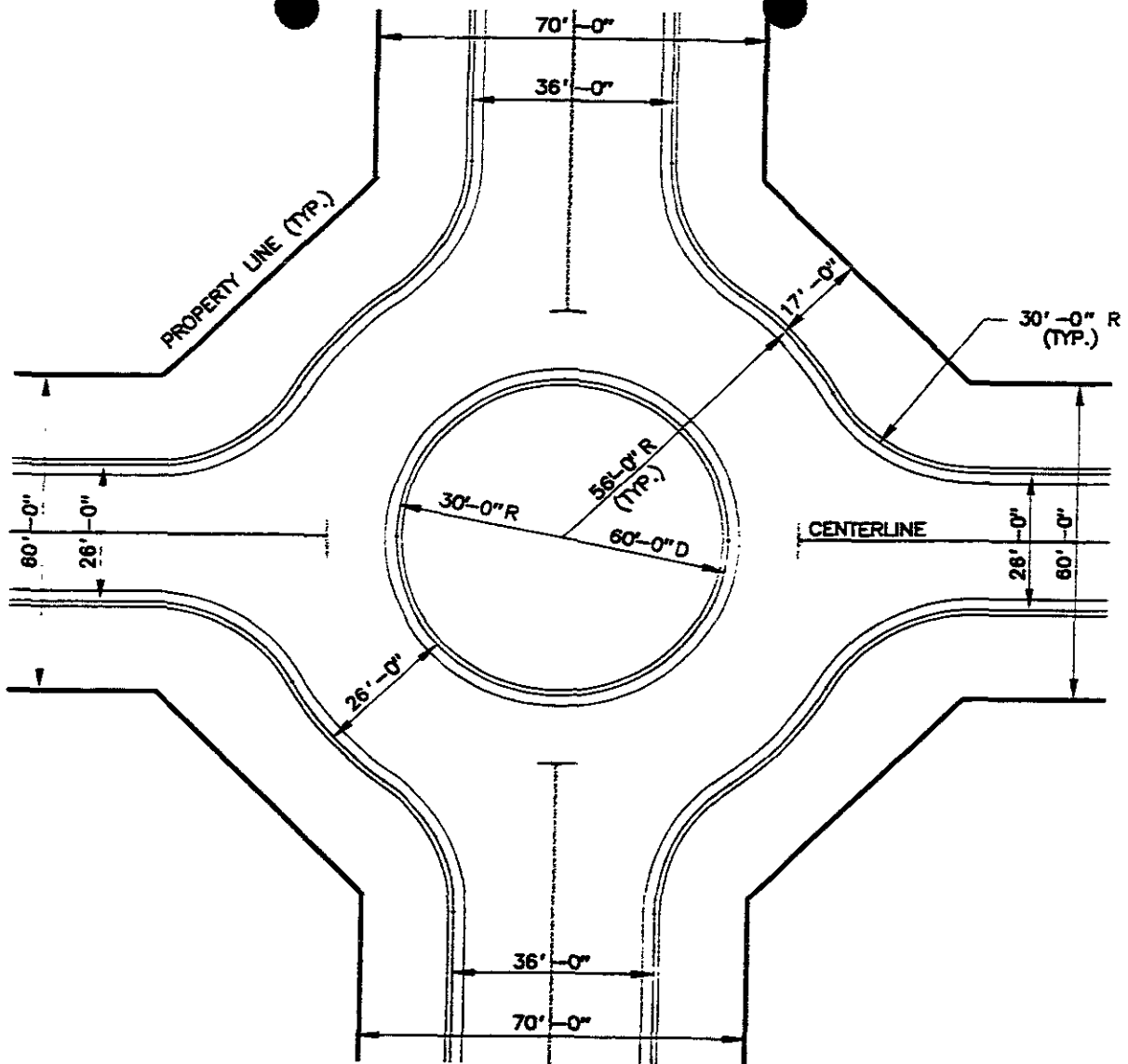
| | |
|---------------|------------|
| SINGLE FAMILY | 80 |
| TOWNHOUSES | 120 |
| APARTMENTS | 100 |
| HIGH-RISE | 324 |
| TOTAL | 624 |

Retail Summary

| | |
|---------------------------|--------------------|
| FOOD STORE | 40,200 s.f. |
| SHOPS | 10,000 s.f. |
| (includes food store) | |
| SHOPS | 20,000 s.f. |
| (includes public parking) | |
| TOTAL | 70,000 s.f. |
| PARKING REQUIRED | 385 sp. |
| (@ 5 cars/100 s.f.) | |
| PARKING SHOWN | 385 sp. |

Illustrative

Village of Painters Mill



GENERAL NOTES

1. THIS STANDARD MAY BE USED ONLY WITH THE PRIOR APPROVAL OF MCDOT AT THE PRELIMINARY PLAN STAGE.
2. THIS STANDARD IS APPLICABLE TO INTERSECTIONS OF TERTIARY, SECONDARY AND PRIMARY ROADS WITH OTHER TERTIARY, SECONDARY OR PRIMARY ROADS. IT IS NOT APPLICABLE TO ROADS WITHOUT CURB AND GUTTER.
3. THE NEAREST POINT OF ANY DRIVEWAY APRON EXTENSIONS SHALL NOT BE LOCATED WITHIN 25' OF THE POINT OF CURVATURE OF CURB AND GUTTER AT THE INTERSECTION.
4. MCDOT STANDARD MC-100.01 CURB AND GUTTER MUST BE USED WITHIN THE LIMITS OF THE CIRCLE, INSIDE RADIUS AND OUTSIDE RADIUS TO THE POINT OF CURVATURE OF CURB AND GUTTER ON THE CONNECTING STREETS. USE A 1% MINIMUM GUTTER GRADE EXCEPT AROUND THE ISLAND.
5. STREET TREE PLANTINGS SHALL BE IN ACCORDANCE WITH MCDOT STANDARD MC-830.01.
6. SIDEWALKS SHALL BE PROVIDED IN ACCORDANCE WITH THE APPLICABLE ROAD STANDARDS AND STANDARD MC-112.01 FOR RESIDENTIAL SIDEWALK RAMPS. THE SIDEWALK SHALL EXTEND ALONG THE INTERSECTION TRUNCATION, ONE FOOT FROM THE PROPERTY LINE. SIDEWALK RAMPS (8 TOTAL) SHALL BE LOCATED AT THE END OF EACH CURB TANGENT ON EACH LEG OF THE INTERSECTION.

APPROVED JAN 5/96
DATE

[Signature]
DIRECTOR, DEPT. OF TRANS.

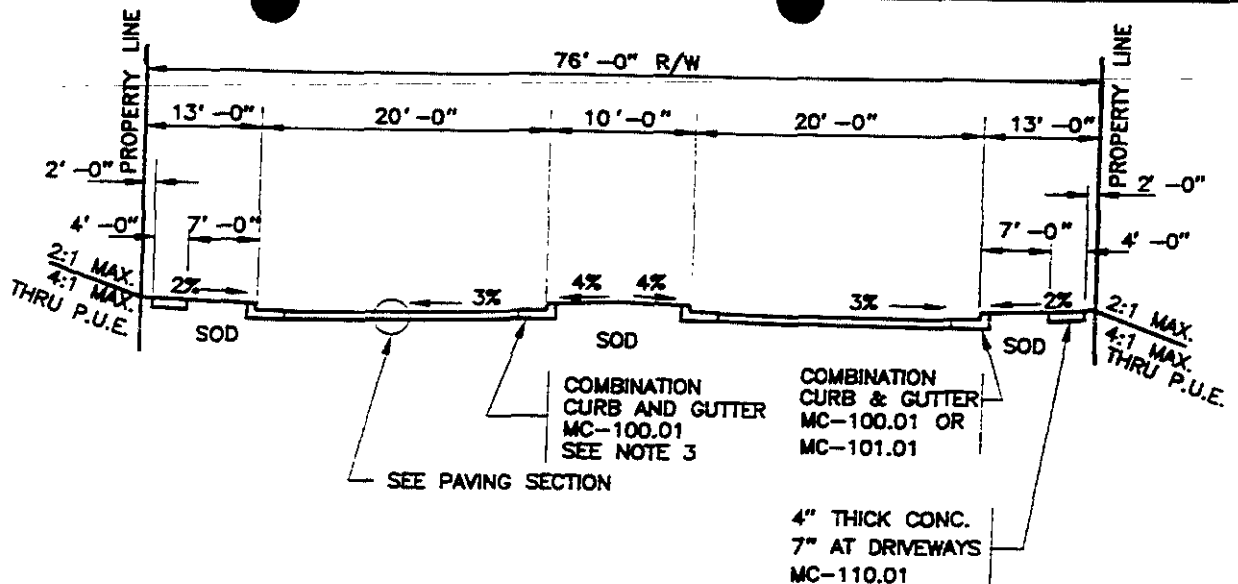
[Signature]
CHIEF, DIV. OF ENG. SERVICES

REVISED

MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION

TRAFFIC CONTROL CIRCLE
RESIDENTIAL ROADS

STANDARD NO. MC-221.02



TYPICAL ROAD SECTION

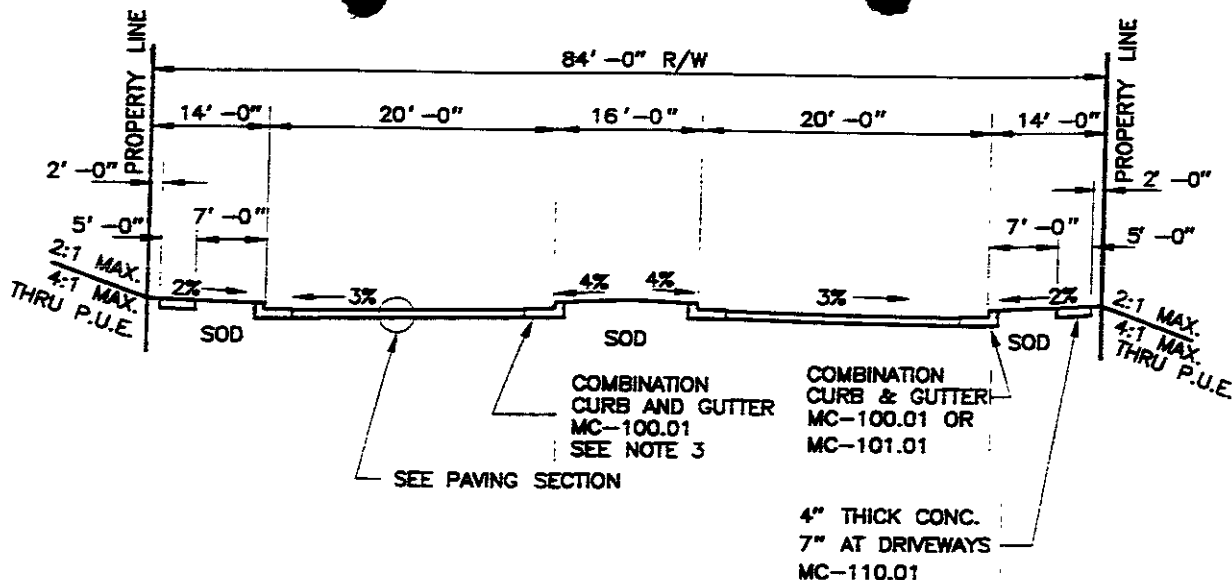
| |
|---|
| 3" BITUMINOUS CONCRETE SURFACE COURSE IN 2 - 1 1/2" LAYERS |
| 3" BITUMINOUS CONCRETE BASE COURSE |
| APPROVED SUBGRADE |

PAVING SECTION
GENERAL NOTES

1. REFER TO MARYLAND STATE HIGHWAY ADMINISTRATION SPECIFICATIONS FOR MATERIALS AND METHODS OF CONSTRUCTION.
2. SEE STANDARD NO. MC-811.01 - METHODS OF GRADING SIDE SLOPES.
3. IN TYPICAL SECTION OR SUPERELEVATED SECTION, THE HIGH SIDE GUTTER PAN SLOPE SHALL EQUAL THE PAVEMENT SLOPE.
4. TYPICAL TOP OF CURB (LOW SIDE) ELEVATION = FLOWLINE (HIGHSIDE) ELEVATION - 0.19' (FOR 6" CURB HEIGHT).
5. THIS STANDARD PROVIDES FOR ONE TRAVEL LANE IN EACH DIRECTION WITHOUT LEFT TURN STORAGE LANES.
6. WHERE A CLASS 1 BIKE ROUTE (8' WIDE 2' FROM THE PROPERTY LINE) IS SPECIFIED, A WIDTH OF 16'-0" SHALL BE USED FROM FACE OF CURB TO PROPERTY LINE. (80' RIGHT OF WAY)
7. OBSTRUCTIONS IN THE SIDEWALK THAT VIOLATE THE CLEAR WALKING SURFACE REQUIREMENTS OF THE "AMERICANS WITH DISABILITIES ACT" OF 1990 WILL NOT BE ALLOWED.
8. WHEN A TRAFFIC BARRIER IS WARRANTED INCREASE THE RIGHT OF WAY TO ALLOW THE TRAFFIC BARRIER TO BE PLACED OUTSIDE OF THE SIDEWALK.

P:\DOT\STD\MC21501 9-28-95 2:19:19 PM EST

| | | |
|---|---------|--|
| APPROVED <u>JAN 5/96</u> DATE | REVISED | MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION |
| <i>[Signature]</i> DIRECTOR, DEPT. OF TRANS. | | SECONDARY RESIDENTIAL DUAL ROAD 76' RIGHT OF WAY |
| <i>[Signature]</i> CHIEF DIV. OF ENG. SERVICES | | STANDARD NO. MC-215.01 |



TYPICAL ROAD SECTION

| |
|---|
| 3" BITUMINOUS CONCRETE SURFACE COURSE IN 2 - 1 1/2" LAYERS |
| 5" BITUMINOUS CONCRETE BASE COURSE |
| APPROVED SUBGRADE |

PAVING SECTION

GENERAL NOTES

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APPROVED JAN 5/96
DATE

[Signature]
DIRECTOR, DEPT. OF TRANS.

[Signature]
CHIEF, DIV. OF ENG. SERVICES

REVISED

MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION

PRIMARY RESIDENTIAL
DUAL ROAD
84' RIGHT OF WAY

STANDARD NO. MC-216.01

RE: PETITION FOR VARIANCE * BEFORE THE
Atrium Village, N/S Macanudo Ct, 484'+/- *
N from c/l Lakeside Boulevard * ZONING COMMISSIONER
2nd Election District, 3rd Councilmanic * OF BALTIMORE COUNTY
Legal Owner(s): Painters Mill Venture, LLC
Contract Purchaser(s): Atrium Village Corp.
Petitioners * CASE NOS. 97-462-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to David M. Meadows, Esq., 4111 E. Joppa Road, Suite 201, Baltimore, MD 21236, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 6, 2000

Mr. Donald N. Mitten, P.E.
Morris and Ritchie Associates, Inc.
110 West Road, Suite 245
Towson, Maryland 21204

Dear Mr. Mitten:

RE: Spirit and Intent, Zoning Case # 97-462-A, Atrium Village, 2nd Election District

Thank you for your letter of February 21, 2000 to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply.

Please be advised that the Baltimore County Zoning Review Office will consider the proposed parking revision, to accommodate a continuing care facility, as within the spirit and intent of the referenced zoning case.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Mitchell J. Kellman
Planner II
Zoning Review

MJK:kew



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



February 21, 2000

Mr. Arnold Jablon, Director
Office of Zoning Review
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, MD 21204

Subject: Atrium Village, PDM #02-561

Dear Arnold:

The current development plan (First Amended), for the above project shows a parking requirement of 280 spaces. This parking requirement was calculated using Section 409.6 of the Baltimore County Zoning Regulations as they pertain to housing for the elderly, Class B. A June 26, 1997 Zoning Order relative to the original Development Plan was applied to the First Amended Development Plan and 221 spaces were provided on the First Amended Development Plan. The relief granted was for 59 spaces. This relief was deemed to be within the spirit and intent of the original order. However, since the development is defined as being continuing care facility, the required parking should be 239 spaces. If the June 26, 1997 Zoning Order relief is applied to this revised parking calculation then only 180 spaces would be required. This would allow for parking spaces shown on the current Development Plan to be converted to amenity open space for the use of the residents of the facility. We have discussed the above with Mitch Kellman who concurred with us that utilizing the same relief (59 spaces) meets the spirit and intent of the original Zoning Order. In calculating the parking requirements we utilized the one space per unit and one space per two assisted living beds requirement, which we believe is the maximum required for this use.

We trust that you will concur with us that the above meets the spirit and intent of the original zoning order. Upon receiving your concurrence we will process an amended development plan through the DRC. We thank you in advance for your consideration of our request.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.

Donald N. Mitten, P.E.

Associate

enclosures

cc: Tom Frech, Bob Goldman, Mitch Kellman, Bob Bradley

DMN:mak's\9918\spirit2.ltr\022100

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395

00-416

4/23/00
WCP
STF *
To: mjk used \$40.00
sounds ok
Chkd with H.O.
2/24/00 ua
MJK call
fee
Casett # @cash

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



February 21, 2000

Mr. Arnold Jablon, Director
Office of Zoning Review
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, MD 21204

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MORRIS & RITCHIE ASSOCIATES, INC.

Donald N. Mitten, P.E.
Associate

enclosures

cc: Tom Frech, Bob Goldman, Mitch Kellman, Bob Bradley

DMN:mak's\9918\spint2.ltr\022100

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 23, 2000

Ms. Carolyn J. Floyd,
Executive Director
Atrium Village
4730 Atrium Court
Owings Mills, Maryland 21117

Dear Ms. Floyd:

RE: Zoning Verification, 4730 Atrium Ct., 2nd Election District

Pursuant to your letters of April 26th and June 15, 2000, regarding the above referenced property, please be advised of the following information.

The subject property is currently zoned RAE 2 - Residence, Apartment, Elevator as per the official Baltimore County zoning map NW 10-I (copy enclosed). The use of the property for elderly housing (assisted living facility) is permitted as a matter of right under Section 201.4.b of the Baltimore County Zoning Regulations. The project was approved by the DRC (case #11098F) and a variance (case #97-462-A) was granted to allow 200 parking spaces in lieu of the required 259.

In addition, Baltimore County Code Enforcement has advised that there are no current or outstanding zoning violations on the subject property at this time.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in cursive script, reading "Bruno Rudaitis".

Bruno Rudaitis
Planner II
Zoning Review

BR:kew
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

RAE2 NW 10-E

DRC - 11098F

Case # 97-462-A

200 in lieu of 259
parking spaces



Atrium Village

Genesis ElderCare® Network

A Heritage Senior Living Community

4730 Atrium Court
Owings Mills, MD 21117
Tel 410 363 0330
Fax 410 363 8795

6/16/00
WCR
To: Bruno
6/16/00
wa
A. Asher

April 26, 2000

Arnold Jablon, Director of Permits and Development Manager
111 West Chesapeake Ave.
Room 111
Towson, MD 21204

Rec'd 6/21
23 0000 42 29

B 37477

B 391933

13399153

Dear Mr. Jablon,

I am writing to request a confirmation from your department that Atrium Village, a senior living community located at 4730 Atrium Court, Owings Mills, MD, has proper local zoning approval. It is my understanding that this property is zoned as a RAE and that Assisted Living is an accepted use of this particular zoning category. I am in need of this confirmation in writing for the purposes of future application to the Department of Quality Standards for Licensure. We are currently under construction and plan to open early 2001. If you have any questions regarding this matter, you can direct them to me at (410) 363-0330.

Thank you in advance for your time.

Sincerely,

Carolyn J. Floyd
Executive Director

CJF/cjf



Atrium Village

Genesis ElderCare® Network

A Heritage Senior Living Community

4730 Atrium Court
Owings Mills, MD 21117
Tel 410 363 0330
Fax 410 363 8795

June 15, 2000

Arnold Jablon, Director of Permits and Development Manager
111 West Chesapeake Ave.
Towson, MD 21204

Dear Mr. Jablon:

Your office phoned me to state that they needed a check in the amount of \$40.00 to process the attached request. Enclosed is the check. Thank you in advance for forwarding this information to me.

Sincerely,

Carolyn J. Floyd
Executive Director

CJF/cjf
Enclosures:



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 12, 2001

Ms. Natalie P. Holland
Director of Network Development
Genesis Elder Care
515 Fairmount Avenue
Towson, MD 21286

RE: Proposed Beauty Salon/Barber Shop
4730 Atrium Court /

Dear Ms. Holland,

Your letter to Arnold Jablon, Director of PDM, was assigned to me for reply on 6/4/01. Since then I have been trying to arrange a meeting with Mr. Larry Schmidt the Zoning Commissioner to review your request. The zoning of this site per the 1 inch = 200 foot scale zoning map # NW, 10-1 is residence, Apartment, Elevator (RAE-2) as stated in your letter. This site was the subject of a zoning Variance Case (# 97-462-A) and Development Hearing (PDM file # II-561). Subsequently Mr. Lawrence Schmidt, the Baltimore County Zoning Commissioner on 6-26-97 approved the use of this Class B Elderly Housing Facility with a chapel and small-scale retail shops for tenant use only. A child and adult daycare center was also proposed within the facility which would be open to the surrounding community. The granted Variance was to allow 200 parking spaces in lieu of the required 259 spaces. A 1st Amended Development Plan was approved on 4/20/99. A 400 square foot area for beauty and barber shop services were shown on the approved plan. Per your letter a 230 square foot beauty/barber shop will be for residents only with no exterior announcement or signage. As such the proposed uses are permitted.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS: gdz

C: Zoning Variance Case # 97-462-A
PDM File # II-561
Letter File



THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
BY REVISIONS, INC. BALTIMORE, MD 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Chairman, County Council

| | | | |
|---|---|--|-----------------------|
| MORRIS & RICHIE ASSOCIATES, INC. 1100 N. WILSON AVE., SUITE 200 BETHESDA, MD 20814 TEL: 410-821-1748 | | ATRIUM VILLAGE OWINGS MILLS MARYLAND 21117 | |
| SCALE 1" = 200' | DATE OF PHOTOGRAPHY JANUARY 1985 | LOCATION OWINGS MILLS ITEM # 4c2 | SHEET N.W. 10-1 |
| DATE 1-28-87 | DRAWN BY TOD | SECTION BY KAT | JOB NO. 9918 |

